

BATTLE TO DEATH

Winfield Outlaws Refuse to Be Captured.

Kill C. S. Calhoun, Santa Fe Detective.

POSSE IS ORGANIZED.

Both Men Brought to Earth by Bullets.

One Is Dead and the Other Will Die.

Winfield, Kan., July 12.—C. S. Calhoun of Kansas City, an Atchison, Topeka & Santa Fe railway detective, was shot and killed at Cedarvale early today by two outlaws, who were shot down later by a posse of citizens at Hewins, seven miles from Cedarvale, close to the Oklahoma state line. One of the outlaws, Edward Madigan, of Ponca City, Oklahoma, was instantly killed by the posse. The other, William Chaburn, of this city, was fatally wounded.

The outlaws exchanged shots with the posse. During the exchange, J. M. Pope, a merchant, was shot through the foot and a woman named Malone was struck in the leg by a stray bullet.

Madigan and Chaburn held up and robbed six traveling men at the Bretton hotel at Winfield on Sunday night, last, and escaped. At Cedarvale last night, Detective Calhoun encountered both of the outlaws on the street. Not being positive of the identity of the men, he secured the sheriff and one of the robbed traveling men and all three started in search of the two men. Early today they drove past the town on a side street. The traveling man identified them and the trio in the carriage were just in the act of making a good getaway when Madigan of Chaburn opened fire. Calhoun was shot through the heart and the outlaws made their escape temporarily.

The marshal and the traveling man, taken by surprise were unable to return a single shot.

Calhoun's body was taken to an undertaker's room and the town aroused. The outlaws stole two horses and started for Hewins. While a posse was gathering at Cedarvale, the outlaws were ahead to Hewins where the deputy sheriff quickly gathered a score of armed men about him. Within two hours the outlaws rode up to a hardware store at Hewins, secured a rifle and a revolver and started out of town on a gallop.

Just as Madigan and Chaburn were leaving the hardware store, they were opened fire from the position of a store. The robbers returned the fire and a lively fusillade ensued. Finally Madigan fell from his horse dying almost instantly. Another bullet soon brought Chaburn to the ground, shot through the bowels. During the exchange of shots, J. M. Pope, a merchant, was shot in the leg. His wound is not serious. Madigan's body was taken to Cedarvale, and Chaburn was placed in the hospital where it is said he cannot live.

C. S. Calhoun who was killed at Cedarvale this morning, supposedly by the two desperadoes who robbed the Brittenhouse hotel at Winfield Sunday, was a native of Missouri. His family, which resides in Kansas City, consists of his wife and three children. Mr. Calhoun was thirty-four years old and has been engaged in secret service work for the Santa Fe railway for the Union Pacific prior to his employment by the Santa Fe some eighteen months ago. He has served both as deputy sheriff and as a detective at Galena, Kan., and was considered a good officer.

This is the second of the Santa Fe's force of secret service men to be killed since that department was established, the other being D. Montgomery who was shot at Winfield several years ago.

Mr. H. H. Gorman, secretary and agent of the Santa Fe secret service department, said this morning: "Mr. Calhoun has been under my employment for the last fifteen months. He has always done good work. He is a fine man to meet socially and was capable and efficient in every respect. He was always a thinking young man, one who had plenty of grit and who would stay by a case to the end. It will be a great loss to the department. The Santa Fe is doing all that it can to aid in the capture of the desperadoes."

THEY'RE IN A FIX.

City Council Afraid They Have Violated Parliamentary Procedure.

Joab Mulvane, president of the Edison Illuminating company, adopts a different stand from that taken by L. E. Myers, of the street railway, with reference to the Consumers' franchise.

"I don't want to take the attitude of fighting the granting of a franchise to the Consumers. I prefer to let the council decide the matter and leave it to their good judgment after having presented to the people the exact conditions of the situation. I believe that the people will look at it in the right light. I believe that they want to see that property down there protected; that the capital which has been invested should be taken care of."

The ways and means committee of the city council, which meets this evening, will not take under consideration the franchise of the Edison Electric Heat, Light and Power company. It will simply take up some minor matters which have been referred to that body and which the city council will pose of before Monday evening's council meeting. The committee, however, will meet Thursday evening again in conjunction with the gas and electric lights committee and at this time the franchise will be considered and reported back to the council for action Friday evening. The council will then be heated discussion in connection with its consideration Thursday evening, but the committee can hardly do anything beyond referring it back to the council. It cannot make any recommendation because not enough

GIVE BACK CHECKS

Receiver Bradley Decides to Return Them to Depositors.

This If Bank Has No Claim Against Depositor.

WILL KEEP THE CASH.

Says That Received Was Not Kept Separate.

To Make Fight for Possession of Securities.

Checks which were presented for deposit at the First National bank during the Friday and Saturday preceding the closing of the bank will be returned provided there are no claims of the bank to offset the amounts represented on the checks. This is the decision which Receiver Bradley arrived at today upon the advice of his attorney, Judge F. S. Oldham. The amounts represented by these checks Mr. Bradley was unable to give.

"So many of these checks have gone out, some to other banks and others have been protested, that it is difficult to give the exact amount. To guess would be worse than not to make any statement at all," said he. "The cash," he continued, "which came in on those days was mingled with the cash which the bank already had on hand and in consequence it will have to go in as part of the assets of the bank. Otherwise we should have to recall some of the money we paid out on those days. And of course that is impossible. That cash will have to remain along with the other assets."

This latter statement, while not new, reveals one new fact and that is that those amounts were not set aside as first reported. The statement was made by Judge Oldham, who said that the receiver would put aside and not mingle with the other business of the bank. That this was untrue appears evident from Mr. Bradley's statement issued today.

Won't Give Up Control.

The depositors will have the gratification of knowing that the \$1,500,000 securities and collateral which Mr. Bradley turned over to the bank a week ago Monday to protect the depositors will not be given up without a struggle by Mr. Bradley. "The status is clear enough," said Mr. Bradley today, "we have got the securities and we won't give them up until they make us."

Judge Oldham refused to give out any opinion about the right of the receiver in bankruptcy to declare these assets of the bank into the common pool of assets of the bankruptcy proceedings for the benefit of all of the creditors of the bankrupt millionaire coal operator. "There are so many things which effect a case of that character," said he, "that it would not be possible for me to give an opinion. Cases along somewhat similar lines have been decided but this individual case probably presents new features on investigation, so that we are not responsible for the receiver's opinion at this time. The matter will have to be fought out in the courts and it will have to be decided there."

There is an increase in the assessed valuation of railroad property, also in real estate, so that the aggregate increase in assessed valuation for the state will run close to \$10,000,000. The board of equalization, composed of Treasurer Kelly, Auditor Wells and Secretary Burrow, met today in the office of the auditor to hear a dozen county clerks, county attorneys, and county commissioners on hand, representing different counties of the state, who were there to present a 22 per cent reduction in the valuation of real estate, as was done last year. It is not expected that Shawnee will get any reduction in personal valuation.

HOCH WILL WAIT.

Not Yet Ready to Name Assistant Attorney General for Allen.

Governor Hoch stated today that he has not yet made up his mind what he will do about the request that he appoint an assistant attorney general for Allen county, where the dynamite explosions occurred.

A. H. Furst and several others called on Mr. Governor Hoch, and urged him to make the appointment. "I told them, as I have told others, that my policy is to call upon the local officials to do their duty before interfering on behalf of the state. It is the right thing to give the local officials a chance to fulfill their oaths, and I will appoint assistant attorneys general only as a last resort. In no case have I been convinced that the local officials had no intention of doing their duty, and in such cases I have acted. But I must be convinced that the local authorities are failing in their work."

BAD FOR THE KAISER.

French and British Join in Enthusiastic Festivities.

Brest, July 12.—The Franco-British naval festivities continue to arouse much enthusiasm. The British commander, Rear Admiral May, gave a luncheon today to the French officers. The health of King Edward and President Loubet was drunk with toasts expressing the united spirit of the French and British navies.

The harbor of Brest and the streets were elaborately decorated with British and French emblems and flags. The municipality of Brest gave a garden party to the British this afternoon.

General Blackmar Seriously Ill.

Boise, July 12.—Owing to the serious illness of General Blackmar, the national commander of the G. A. R., all ceremonies attending his visit to this city are postponed until further notice. He is suffering from nervous prostration.

RAILROADS WIN.

They Are Granted a Temporary Injunction by Judge Phillips.

Missouri Restrained From Enforcing Maximum Rate Law.

SHIPPERS INCLUDED.

They Are Restrained From Bringing Suits Against Roads.

Plea Was Made That New Rates Are Prohibitive.

Kansas City, July 12.—Judge John F. Phillips in the United States district court here today granted the temporary injunction prayed for by Missouri railroads restraining the state railway and warehouse commissioners of Missouri and the attorney general of the state, from enforcing the maximum freight rate law enacted by the last legislature. When the law went into effect on June 16, eighteen railroads in this state petitioned Judge Phillips to restrain the state officials from enforcing the act, the railroads making the plea that the rates which prevailed in the new law were prohibitive and would amount to confiscation of their property. The suit also was directed against three Kansas City shippers, intended to cover shippers as a class and to forestall any suits they might bring against the railroads, preventing the enforcement of the law until the matter of a temporary injunction could be argued. This order, which was argued last week, was continued in force today by Judge Phillips, who after delivering an oral opinion, granted the railroads' petition for a temporary injunction.

WHY IT IS COLD.

High Barometer Came from Pacific Coast.

Topeka has been experiencing remarkably cool weather for this season of the year. The highest temperature recorded by the government thermometer Tuesday was 73 degrees, while the lowest was 50 degrees, less than the usual maximum temperature for this season. Topeka has been a summer resort, with nights so cool that blankets have been used, and the plural is used adverbially, as one blanket has not been sufficient.

Director Jennings of the government weather bureau explains the cool wave by saying that a low barometer from the Pacific ocean brought the lower temperatures. "Low temperatures have been general over the entire western country," he said, "and the barometer from the Pacific spread over the west and central valley country. The entire west and central valley has experienced a low barometer. In the Dakotas the temperatures for this season of the year, in the Dakotas the weather is warmer today than it was yesterday. During the past week the mean temperature has averaged 70 degrees, which is seven degrees below the normal mean temperature for that season of the year."

The maximum temperatures during July have been as follows: July 1, 81 degrees; July 2, 76 degrees; July 3, 84 degrees; July 4, 84 degrees; July 5, 81 degrees; July 6, 83 degrees; July 7, 83 degrees; July 8, 81 degrees; July 9, 80 degrees; July 10, 74 degrees; July 11, 73 degrees.

Low temperatures have been general over Kansas, the maximum and minimum temperatures have been much lower than usual at this season of the year. The maximum and minimum temperatures reported for the week ending July 11 were: Baker, 66.50; Concordia, 62.58; Dodge City, 88.56; Fort Scott, 72.56; Macksville, 88.54; McPherson, 74.76; Manhattan, 82.52; Osage City, 76.54; Russell, 82.48; Sedan, 82.52; Topeka, 73.58; Topeka, 82.54; Wichita, 82.56.

The forecast for Kansas sent out by the government weather bureau today is "Generally fair tonight and Thursday, with a possibility of showers Thursday; warmer tonight." The wind at noon was west, blowing six miles an hour. The hourly temperatures recorded by the government thermometer today were:

7 o'clock.....64	11 o'clock.....79
8 o'clock.....70	12 o'clock.....82
9 o'clock.....72	1 o'clock.....83
10 o'clock.....76	2 o'clock.....84

Wind south, five miles an hour, at 2 p. m.

CUTS ALL SALARIES.

Morton Will Save Much Money for the Equitable.

New York, July 12.—Sweeping reductions in the salaries of various officials and employees of the Equitable society were announced today by Chairman Morton. The decreases will amount to 20 per cent on all salaries over \$15,000 per annum; 15 per cent on all annual salaries between \$9,000 and \$15,000 both inclusive; and 10 per cent decrease on all salaries above \$2,500 and below \$9,000 per year. These changes become operative on August 1, and effect a saving of from \$150,000 to \$200,000 a year. In the first 10 per cent class may be included Chairman and Acting President Morton and Second Vice President George E. Tarbell.

Sultan's Troops Win a Victory.

Tangier, July 12.—Mohammed El Torres, the representative of the sultan here for foreign affairs, has received information to the effect that the imperial forces have won a victory over the Moorish pretender near Ujda in the northeast of Morocco. The pretender escaped, leaving 180 men dead. The sultan's troops captured many prisoners.

Boise Went Republican.

Boise, July 12.—The city election resulted in the election of James A. Pinney, Republican, for mayor by a majority of 600. The entire Republican ticket was elected.

THE SAT UP DATE

President and Knox Talked Far Into the Night.

Matter Discussed Declared to Be Very Important.

SENATOR WON'T TALK.

Leaves for New York and May Go to Washington.

Wilson's Chief Statistician Is Now Under Fire.

Oyster Bay, L. I., July 12.—Senator P. C. Knox of Pennsylvania, former attorney general, held a long and important conversation with the president last night at Sagamore Hill. The senator on an invitation of the president was an over-night guest of Mr. Roosevelt. The conference, which was continued until a late hour, covered a wide range of subjects, but related to one matter in particular which is of profound personal and official concern to the president. No statement was made about the result of the conference. Senator Knox, who left Oyster Bay on a morning train for New York, declined to discuss for publication the result of his interview with the president. It is not unlikely that he may go from New York to Washington, although he had not determined when he left here whether it would be necessary for him to go to Washington. If after communicating with Washington by telephone from New York he should find it unnecessary to go to the capital he will proceed direct to his home at Valley Forge.

Later, it was learned here today by a report that M. Muraviev, former minister of justice, who recently was designated as one of the Russian plenipotentiaries to the peace conference, would not be able to participate in the conference and that Poutloff, one of the directors of the Russo-Chinese bank and Russian minister to China, has been appointed in his stead. Confirmation of the appointment of Poutloff is not obtainable here at this time, although it is known that his declination to serve as one of the Russian envoys would not create surprise.

President Roosevelt late this afternoon will address the associated physicians of Long Island, who are in session in assembly hall of the local high school.

It is regarded here as not improbable that other sensational developments may grow out of the leak in the cotton crop report which Secretary Wilson of the department of agriculture is investigating. In fact, direction of the president, Secretary Wilson is conducting the inquiry along his own lines with a determination to sift the matter to the bottom. As heretofore indicated in these dispatches Attorney General Moody will determine finally whether criminal prosecution will be instituted by the government against any of the alleged conspirators.

Amos Gompers, president of the American Federation of Labor, and James Duncan, vice president of the American Federation of Labor, are expected today to have an important labor matter. Mr. Gompers declined to say what the subject of his conference with the president will be, but it is likely that later in the day he may make some statement regarding it.

NEEDS OF THE HOUR.

In Connection With Corporation Problem Discussed by Judge Grosscup.

Put-in-Bay, Ohio, July 12.—Five hundred representatives of the Ohio bar, including many eminent jurists of the state, assembled here today for the annual session of the State Bar association.

Judge Peters S. Grosscup, of Chicago, delivered the annual address, his subject being "The Corporation Problem, the Lawyer's Part in Its Solution." He said in part:

"The great corporate problem before the American people is not how to wipe out the new domain of property represented by the corporation; nor how to hinder or hamper it; nor how to take it over into national proprietorship; nor, simply, how to make those who have already come into its proprietorship deal fairly and benignly with the people, as the great proprietors of the monarchies of Europe might be required to deal fairly with their peoples."

"The great problem that confronts the statesman of this day, like that which confronted the statesman of the past, is how to deal with the public land domain, is how to peopleize the ownership of this new domain; how to widen and deepen the popular stake in this new possession; how to sweep forward into the age that is to come, losing nothing overboard from the age that is passing; but with everything aboard so really republicanized that in the public mind there will be no feeling of the ownership of the laws, and the practical opportunities for an individual career that our laws are supposed to furnish, the field is not open to all alike. It is not the prerogative of the men and women of America for food that creates our problem. It is not their wish for entertainment or pleasure that creates our problem. It is that under present corporate policies, the instinct of independent manhood, the instinct that characterizes us as a people, finds no field for exercise. I do not expect that that way to be found in a day, or in a single measure. It is not ordained that a people should go through a great crisis so easily. I do not expect that the way will be found by the men who are called the party leaders, or that immediate help will come from them. Party leadership is timid. Men in line for the presidency, and senators and governors are men who think many times before they take any step that might separate them from the prevailing public mood. What

STATEHOOD DAY.

Great Crowd Gathers for Convention at Oklahoma City.

Delegations Parade the Streets With Bands of Music.

HARMONY PREVAILS.

Early Joint Statehood Is the Object in View.

Disagreements Were Settled Before the Gavel Fell.

Oklahoma City, Okla., July 12.—One thousand delegates from the Indian Territory and Oklahoma met in convention here today to take some definite action looking to immediate statehood. Delegates from visitors began arriving yesterday, and when the gathering was called to order, the greatest enthusiasm prevailed. The convention was of great importance to both territories, and indeed, was considered one of the most important ever held in the Indian country. In the early hours delegations paraded the street headed by bands with banners flying, and cheering for immediate statehood. Many regular and special trains during the night and early hours brought in thousands of visitors from every direction.

MR. CLOSE IS VERY LOW

Assistant Attorney General Seriously Ill at Home in Potwin.

J. F. Close, the assistant attorney general of the state of Kansas, is very seriously ill at his home, 221 Woodlawn avenue. While the doctors say that his condition is critical, it was stated that he seemed to be feeling better this morning. Close, who is the state's chief trouble is with his kidneys, but some time ago he suffered from an attack of the grip which left him with heart trouble.

In the absence of Attorney General Coleman, Mr. Close is in charge of that department of the state administration, and has been conducting the department since the resignation of the late attorney general. He has been one of the redeeming features of the office since the Coleman regime commenced. He has looked after the running of the state, and the work in the general run of the state's business in the supreme court has fallen on him.

LETTER TO ROOSEVELT

Cotton Exchange Wants Corrupt Government Employees Prosecuted.

New York, July 12.—The New York cotton exchange made public the following letter today:

"The Hon. Theodore Roosevelt, president of the United States, Washington, D. C. Dear Sir: On behalf of the New York cotton exchange I want to say that its members have been greatly shocked by the recent disclosure of corruption in the department of agriculture, upon which reports they have depended for accurate information on the cotton crop. It is their earnest wish that the guilty ones be adequately punished."

"Official reports should be above the suspicion of publication in the interest of any persons for their individual benefit and as president of this exchange I wish to put its members upon record as being opposed to such culpable practices."

"On the line of common honesty I ask you for your most emphatic condemnation of the corruption upon the practice which make legitimate business and put the members of our body at the mercy of tricksters and knaves."

With great respect, I am, Yours Truly (Signed),
"WALTER C. HUBBARD,
President of the New York Cotton Exchange."

KNOX CALLED IN.

The President Invites Pennsylvania Senator to Sagamore Hill.

Oyster Bay, July 12.—Senator Knox of Pennsylvania was an overnight guest of the president at Sagamore Hill. He arrived from New York at 5:40 o'clock in the afternoon and, in the evening, the president's carriage, which had been sent to meet him, drove at once to the president's home. The senator, who is a member of the senate from the state of Pennsylvania, and Archie and Quentin, the younger sons of the president, accompanied the senator to Sagamore Hill. The senator, who had come down from New York to continue his visit to Mrs. Roosevelt, Senator Knox said his visit so far as his was aware, was of no special significance. He came by invitation of the president and did not know that the president desired to consider with him any particular subject. As a former member of president Roosevelt's cabinet Senator Knox sustains close personal relations with him, and his presence is a certain guarantee to many important governmental matters.

SIXTY WERE HANGED.

Japanese Exterminate Band of Korean Bandits.

San Francisco, July 12.—A story of wholesale execution at the little village of Taikui, a hundred miles inland from Fusa, Korea, has been brought to San Francisco by the Rev. F. McFarland, a missionary who came home on the steamer Korea. In less than a week sixty men, charged with being bandits and cut-throats, were hanged by order of the Japanese government. A party of Korean soldiers, who were sent to the village to execute the bandits, were met by a detachment of Korean warriors, who caught the men and hanged them.

Princess of Wales Has a Son.

London, July 12.—The princess of Wales was safely delivered of a son this morning.

Weather Indications.

Chicago, July 12.—Forecast for Kansas: Clear, with a few clouds; Thursday, clear, possibly wind storms; Friday, warmer; Saturday, southerly winds.

Temperatures in Large Cities.
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